

FILED
IN CLERKS OFFICE

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
CENTRAL DIVISION

2020 MAR -9 PM 3:16

U.S. DISTRICT COURT
DISTRICT OF MASS.

SPIRO SPYROPOULOS,

Plaintiff,

v.

Civil Action

No. 20-CV-40025-DHH

CHARLIE D. BAKER, IV, in his capacity as the Chief)
Executive Officer of the Commonwealth of Massachusetts;)
KAREN E. SPILKA, in her capacity as the President of)
the Senate of the Massachusetts General Court;)
ROBERT A. DeLEO, in his capacity as the Speaker of the)
House of Representatives of the Massachusetts General)
Court; MELANIE C. ERESIAN a/k/a MELANIE CARA)
ERESIAN; NORSCIT INVESTMENTS, LLC; ARA)
ERESIAN, JR.; and RY-CO INTERNATIONAL, LTD.,)

Defendants.

NOTICE OF REMOVAL OF ACTION

TO: The Clerk of the United States District Court for the District of Massachusetts:

- 1, In accordance with the provisions of 28 U.S.C. ss. 1331 and 1441(c)(1)(A)(B), named Defendant, Ara Eresian, Jr. (hereinafter the "Defendant" or "Movant") hereby removes the within captioned civil action, No. 19 MISC 000393, from the Land Court Dept. of the Trial

Court (hereinafter the “State Court”) to the United States District Court for the District of Massachusetts – *Central Division*.

2. FURTHER, in accordance with the provisions of 28 U.S.C. s. 1446(a), such removal is premised and thus so effected upon federal question [jurisdiction], in that this action involves one or more claims arising under Amend. 5 to the United States Constitution, as made applicable to the several states by Amend. 14 to the United States Constitution, as to the constitutionality of M.G.L.c. 260, s. 33, *as amended by* St. 2006, c. 63, s. 6 of the Acts and Resolves of the Massachusetts General Court, more commonly known as the “Obsolete Mortgage Statute”.
3. FURTHER, in accordance with the provisions of 28 U.S.C. s. 1446(b), the Movant states that he was served with process issued by the State Court in the instant civil action by a Deputy Sheriff in and for the County of Worcester on February 14, 2020 along with copies of (1) State Court Civil Cover Sheet (of the original) (2) *Plaintiff's First Amended Complaint*; (3) *Amended Suggestion Of Unconstitutionality Of M.G.L.c. 260, S. 33, As Amended By St. 2006, c. 63, S. 6* each filed on behalf of the named Plaintiff, Spiro Spyropoulos to the underlying civil action; and (4) Proof of Service upon Movant, and thus such action has been properly removed to the United States District Court for the District of Massachusetts – *Central Division* within 30-days receipt of such service¹.
4. FURTHER, in accordance with the provisions of 28 U.S.C. s. 1446(a), the Movant contemporaneously submits herewith a copy of all process, pleadings, and orders served

¹ The Movant *was not* a named party to the within civil action, and thus *was not* served with process prior to February 14, 2020.

upon the Movant in such action, with copies of all other process, pleadings, and orders served, filed and docketed in said action with the State Court within 30-days next from the date hereof.

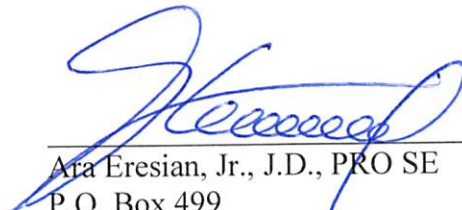
5. AND CONCLUDING, in accordance with the provisions of 28 U.S.C. s. 1446(d), the Movant shall give notice of such removal to the State Court and the parties heretofore appearing in said action forthwith, and thereupon the State Court shall take no further action in this matter.

WHEREFORE, Defendant, Ara Eresian, Jr. prays that the within action be removed to the United States District Court for the District of Massachusetts – *Central Division*.

Respectfully submitted,

DEFENDANT,

ARA ERESIAN, JR.,



Ara Eresian, Jr., J.D., PRO SE
P.O. Box 499
Shrewsbury, MA 01545-0499
Tel: (774)-258-0961
Email: alr@townisp.com

Date: March , 2020

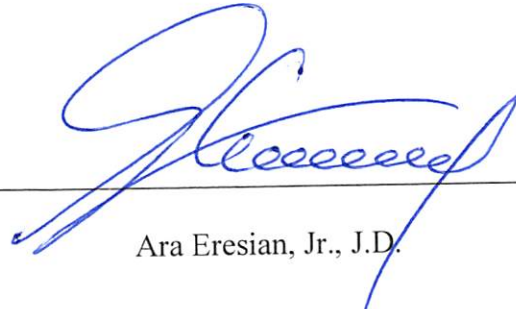
CERTIFICATE OF SERVICE

I, Ara Eresian, Jr., hereby certify that on the 9th day of March, 2020, I served a copy of the within *Notice Of Removal Of Action*, via (U.S.) first class mail, postage prepaid and/or e-mail, upon the following:

Glen F. Matheson, Esquire
Matheson Law Office
900 Main Street, Suite A
Worcester, MA 01610-5406

Kendra Kerscherf, Asst. Atty. General
Office of the Massachusetts Attorney General
One Ashburton Place, 18th Floor
Boston, MA 02108-1518

RY-CO International, Ltd.
P.O. Box 11
Worcester, MA 01613-0011



Ara Eresian, Jr., J.D.